

AM 100186

#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Waldemar PFRENGLE

Serial No. 09/879,258

Filed: June 12, 2001

For: FUNGICIDAL TRIAZOLOPYRAMID-7-YLIDENEAMINES



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OFFICE OF PETITIONS

Honorable Commissioner of Patents  
Washington, D.C. 20231

STATEMENT UNDER 37 CFR 3.73(b)

BASF Aktiengesellschaft has a proprietary interest in the above-referenced application as the assignee of the entire right, title and interest in the patent application by virtue of a chain of title from the inventor of the patent application, to the current assignee as shown below:

*1. From: Waldemar Pfrengle to American Cyanamid Company*

The document was recorded in the United States Patent and Trademark Office on **February 21, 2000**, on **Reel 011680, Frame 0433**.

*2. From American Cyanamid Company to BASF Aktiengesellschaft*

The document was recorded in the United States Patent and Trademark Office on **November 16, 2001**, on **Reel 012276, Frame 0001**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is authorized to act on behalf of the assignee.

**BASF Aktiengesellschaft**

Name: Dr. Vera Stark Dr. Reinhold Köster

Signature: ppa. Stark ppa. R. Köster

Title: Directors Directors

Date: May 27, 2002 May 27, 2002

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DECLARATIONINVENTORSHIP IDENTIFICATION

Upon information and belief, the inventor's residence, post office address and citizenship are as stated below next to his name. Upon information and belief, the inventor believes he is the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**FUNGICIDAL TRIAZOLOPYRIMID-7-YLIDENEAMINES**

the specification of which was filed on **June 12, 2001**, as **Serial No. 09/879,258**.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

Upon information and belief, the inventor states that he has reviewed and understands the contents of the above identified specification, including the claims.

Upon information and belief, the inventor acknowledges the duty to disclose information which is material to the examination of this application in accordance with Title 37 CFR 1.56(a).

PRIORITY CLAIM

Claim for Benefit of Prior U.S. Provisional Application(s)  
(35 USC § 119(E))

Benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below, is claimed:

Provisional Application Number  
60/211,168

Filing Date  
June 13, 2000

IRREPARABLE HARM

The filing of this application under 37 CFR § 1.47 is necessary to preserve the rights of the parties.

DECLARATION

The undersigned hereby declares that all statements herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

On behalf of and as agent for Waldemar PFRENGLE, last known country of citizenship Germany, last known residence Biberach, Germany, last known Post Office address Stresemannstr. 56, 88400 Biberach, Germany.

The undersigned are authorized to act on behalf of BASF Aktiengesellschaft.

**BASF AKTIENGESELLSCHAFT**

Name: Dr. Vera Stark

Dr. Reinhold Köster

Signature: ppa. Stark

ppa. R. Köster

Title: Directors

Directors

Date: May 27, 2002

May 27, 2002

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Docket No: AM100186 L  
Patent

For: ☒ U.S. and/or ☒ Foreign Rights  
For: ☒ U.S. Application or ☐ U.S. Patent

Assignment of Invention

In consideration of the payment by ASSIGNEE to ASSIGNOR of good and valuable consideration, the receipt of which is hereby acknowledged,  
ASSIGNOR:

(1) Full Name of Inventor: **Waldemar Pfrengle**  
Residence: **Junkermuehle 1, D-55444 Seibersbach**  
Citizenship: **Germany**

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(2) Full Name of Inventor:  
Residence:  
Citizenship:

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(3) Full Name of Inventor:  
Residence:  
Citizenship:

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(4) Full Name of Inventor:  
Residence:  
Citizenship:

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(5) Full Name of Inventor:  
Residence:  
Citizenship:

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hereby sells, assigns and transfers to ASSIGNEE:

American Cyanamid Company  
Five Giralda Farms  
Madison, New Jersey 07940-0874

and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest for the United States and its territorial possessions and in all foreign countries, including all rights to claim priority, in and to the invention entitled:

**FUNGICIDAL TRIAZOLPYRIMID-7-YLIDENEAMINES**

and invented by ASSIGNOR and the following additional inventors, if any:

and which is found in

[check and complete (a), (b), (c), or (d)]

- (a) ☒ U.S. patent application executed on even date herewith.  
(b) ☐ U.S. patent application executed on:  
(c) ☐ U.S. application Serial No. filed on:  
(d) ☐ U.S. Patent No. issued on:

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[also check (e) if foreign application(s) is(are) also being assigned]

(e) ☒ and any legal equivalent thereof in a foreign country, including the right to claim priority, including any and all improvements disclosed therein, and in and to all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to Letters Patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNOR authorizes ASSIGNEE to make applications for and to receive Letters patent for said invention in any of said countries in its own name, or in ASSIGNOR's name, at its election.

ASSIGNOR covenants and agrees to execute or procure any further necessary assurance of the title to said invention and any Letters Patent which may issue therefor and to, at any time, upon the request and at the expense of ASSIGNEE deliver any testimony in any interference, litigation or proceeding related thereto and execute all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patent which may be granted therefor in ASSIGNEE, its successors, assigns or other legal representatives, and that to, at any time, upon the request and at the expense of ASSIGNEE execute any continuation, continuation-in-part, divisional, renewal or substitute thereof, and as to Letters Patent and reissue or re-examination thereof, or any other additional applications of Letters Patent for said invention or any part thereof, all of which applications and any Letters Patent issuing thereon are hereby assigned to ASSIGNEE, and will make all rightful oaths or declarations, and do all lawful acts requisite for procuring the same therein, without further compensation, but at the expense of ASSIGNEE, its successors, assigns or other legal representatives.

ASSIGNOR authorizes and requests the Commissioner of Patents to issue any and all Letters Patent of the United States for said invention, resulting from any of the aforesaid applications to said American Home Products Corporation, as its ASSIGNEE.

WITNESS my hand and seal this 21<sup>st</sup> day of February, 2000.

Waldemar Pfrenge Pfrenge \_\_\_\_\_  
L.S. L.S.

\_\_\_\_\_  
L.S. L.S.

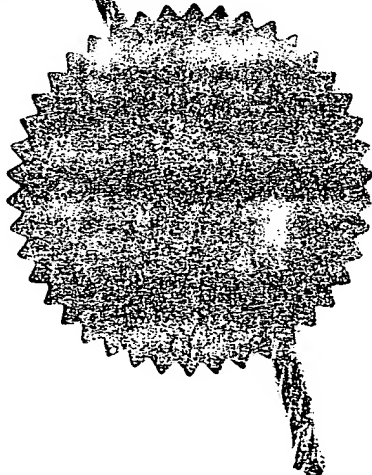
\_\_\_\_\_  
L.S.

U. Nr. 426/2000

Acknowledgement

State of Federal Rep. of Germany }  
ss:  
County of Rhineland-Palatinate }

On the 21<sup>st</sup> day of Feb. 2000, personally appeared before me **Waldemar Pfrenge**, known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he executed the same, of his own free will and for the purposes set forth.



\_\_\_\_\_  
Notary Public